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September 11, 2014

VIA ECF

The Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1610
New York, NY 10007-1312

Re: *FHFA v. Nomura Holding Am. Inc.*, No. 11 Civ. 6201 (DLC) (S.D.N.Y.)

Dear Judge Cote:

We write on behalf of Plaintiff Federal Housing Finance Agency (“FHFA”) in response to the letter submitted earlier today by Defendants in the *Nomura* action.

FHFA does not oppose Defendants’ requests for a consolidated brief or for additional pages in opposing FHFA’s motion for summary judgment regarding the statute of limitations, but it does oppose Defendants’ request for a two-week extension. Contrary to Defendants’ assertion, the three weeks provided for them to prepare their opposition is consistent with prior briefing schedules entered in these coordinated Actions. *E.g.*, *FHFA v. Merrill Lynch & Co.*, 11 Civ. 6202, Dkt. 657 (providing three weeks to file opposition to motion for summary judgment regarding due diligence defense). Moreover, this Court already considered arguments similar to the ones Defendants advance about the difference between the trial schedules in this case, on the one hand, and the *Goldman Sachs* or *HSBC* Actions, on the other, *Nomura* Dkt. 772, and resolved them by giving Defendants in this case more time to submit their opposition papers than those other defendants. *Nomura* Dkt. 771 (giving Defendants an additional week). Accordingly, FHFA respectfully requests that Defendants’ request for an extension be denied.

Respectfully submitted,

/s/ Philippe Z. Selendy

Philippe Z. Selendy
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Finance Agency*

cc: Counsel of Record (via ECF)

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